

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MAR 29 2018

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA	§	CRIMINAL NO. H-17-007S
	§	
vs.	§	
	§	
MARC ANTHONY HILL,	§	JUDGE EWING WERLEIN, Jr.
NELSON ALEXANDER POLK,	§	
JOHN EDWARD SCOTT,	§	
BENNIE PHILLIPS, Jr., and	§	
TRAYVEES DUNCAN-BUSH,	§	
Defendants.	§	

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

INTRODUCTION

At all times material to this Indictment, Brink's Inc., operating locations throughout the United States, is engaged in the business of the secure transport of assets, including currency, throughout the United States which activities are in, and affecting interstate commerce.

At all times material to this Indictment, Loomis Armored US, operating locations throughout the United States, is engaged in the business of the secure transport of assets, including currency, throughout the United States which activities are in, and affecting interstate commerce.

COUNT ONE

Conspiracy to Interfere with Commerce by Robbery

Between the dates of August 1, 2016, and August 29, 2016,
in the Houston Division of the Southern District of Texas,

MARC ANTHONY HILL,
and
NELSON ALEXANDER POLK,

defendants herein, did knowingly, and intentionally combine, conspire, confederate and agree with each other and others, known and unknown to the Grand Jury, to intentionally obstruct, delay, and affect interstate commerce and the movement of articles and commodities in commerce by means of robbery, as the terms "commerce" and "robbery" are defined in Title 18, United States Code, §§ 1951(b)(1) and (b)(3), in that the defendants did unlawfully conspire to take and obtain the property of Brink's, Inc., which was in the possession and custody of an employee of Brink's, Inc., namely, United States currency, by means of actual and threatened force, violence, and fear of injury to those in lawful possession of those items.

In violation of Title 18, United States Code, § 1951(a).

COUNT TWO

On or about August 29, 2016, in the Houston Division of the Southern District of Texas,

MARC ANTHONY HILL,
and
NELSON ALEXANDER POLK,

defendants herein, aiding and abetting each other and others, known and unknown to the Grand Jury, did knowingly carry, and discharge a firearm, namely a rifle, and cause the death of a person, to wit: David Guzman, during and in relationship to a crime of violence for which they may be prosecuted in a court of the United States, that being Conspiracy to Interfere with Commerce by Robbery.

In violation of Title 18, United States Code, §§ 924(c)(1)(A)(iii), 924(j)(1), and 2.

COUNT THREE

Conspiracy to Interfere with Commerce by Robbery

Between the dates of November 21, 2016, and December 7, 2016, in the Houston Division of the Southern District of Texas,

MARC ANTHONY HILL,
NELSON ALEXANDER POLK,
JOHN EDWARD SCOTT,
BENNIE PHILLIPS, Jr., and
TRAYVEES DUNCAN-BUSH,

defendants herein, did knowingly, and intentionally combine, conspire, confederate and agree with each other and others, known and unknown to the Grand Jury, to intentionally obstruct, delay, and affect interstate commerce and the movement of articles and commodities in commerce by means of robbery, as the terms "commerce" and "robbery" are defined in Title 18, United States Code, §§ 1951(b)(1) and (b)(3), in that the defendants did unlawfully conspire to take and obtain the property of Loomis Armored US, which was in the possession and custody of an employee of Loomis Armored US, namely, United States currency, by means of actual and threatened force, violence, and fear of injury to those in lawful possession of those items.

In violation of Title 18, United States Code, § 1951(a).

COUNT FOUR

On or about December 7, 2016, in the Houston Division of
the Southern District of Texas,

MARC ANTHONY HILL,
NELSON ALEXANDER POLK,
JOHN EDWARD SCOTT,
BENNIE PHILLIPS, Jr., and
TRAYVEES DUNCAN-BUSH,

defendants herein, aiding and abetting each other, did knowingly
carry, brandish, and discharge a firearm, namely, an AR-15
rifle, during and in relationship to a crime of violence for
which they may be prosecuted in a court of the United States,
that being Conspiracy to Interfere with Commerce by Robbery.

In violation of Title 18, United States Code, §§
924(c)(1)(A)(iii) and 2.

Notice of Criminal Forfeiture

Pursuant to Title 18, United States Code, § 924(d)(1), and
Title 28, United States Code, § 2461, the United States of
America gives notice to the defendants,

MARC ANTHONY HILL,
NELSON ALEXANDER POLK,
JOHN EDWARD SCOTT,
BENNIE PHILLIPS, Jr., and
TRAYVEES DUNCAN-BUSH,

that, in the event of conviction of the offense charged in Counts Two, or Four, the United States of America shall forfeit all firearms and ammunition involved in or used in a violation of Title 18, United States Code, §§ 924(c)(1)(A)(iii), and 924(j)(1), including, but not limited to:

- 1.) a Jimenez Arms Model J.A. .380 / Serial # 234415;
- 2.) a Glock Model 19 / Serial # GMS020;
- 3.) a Springfield Armory XD Pistol / Serial # XD447843;
- 4.) a Smith and Wesson Model SW40VE / Serial # DYJ2765;
- 5.) an Anderson Mfg. Model AM-15 Semiautomatic Rifle / Serial # 0914025074.

A TRUE BILL: *1 1 11 1*

Original signature on File

[Signature]
FOREMAN OF THE GRAND JURY

RYAN K. PATRICK
United States Attorney

BY:

[Signature]
RICHARD D. HANES
Assistant United States Attorney

[Signature]
HEATHER WINTER
Assistant United States Attorney